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THE INFLUENCE OF JOCHANAN ben ZAICAI
on the
DEVELOPMENT OF JUDAISM

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[1250]

INTRODUCTION

In order to understand fully and to appreciate the work of Rabbai Jochanan ben Zakkai, it is necessary to have in mind the trends and currents of political and religious thought that molded the conditions as they existed at the time of his activity. Sadducees, Pharisees, Essenes, Zealots; Jewish Christians and Gentile Christians; Herodians, Romans - all of them in their various activities determined him in his political views and influenced him in his religious philosophy, cleared up for him the vision of the course that Judaism must pursue if it were to endure, and marked out for him his ultimate line of action. It is for this reason that we have begun this thesis with a brief historical sketch from the time of John Hyrcanus, under whom the sects took form, and whose political policies ultimately brought Israel into contact with the power that was to ruin it politically, but in so doing, liberate it religiously, and thus enable it to wield the tremendous influence that it has wielded since that eventful time.

It was just at the time that Rome destroyed the Jewish state that Jochanan ben Zakkai was flourishing. He was the man of the hour; and it was almost entirely through him - through his far-seeing vision, through his true religious spirit, through his teachings and method of instruction - all of which were acquired by him through a study of conditions and an assimilation of the best of the fruits of his political and religious predecessors and contemporaries - it was almost entirely through him and his efforts that Judaism was able to endure.

This thesis can lay claim to no great originality. Its value, if it is possessed of any, lies in that it brings together the views of many writers, some agreeing, some differing, upon the great personality whose work it discusses. Its chief value can be appreciated only by the writer of it: for to him it has given a more intimate knowledge of Talmudic literature, a more thorough knowledge of a period of Jewish history; it has made him feel that it is upon him, as one among many, to continue in some measure, commenced by the man of whom this thesis is written. To the writer, a knowledge of Jochanan's work, and an appreciation of it, will serve always as an inspiration.

Cincinnati, Ohio,
April, 1920

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TABLE OF CONTENTS

CHAPTER I.....	1
CHAPTER II.....	14
CHAPTER III.....	21
CHAPTER IV.....	28
CHAPTER V.....	37
APPENDIX (Notes)	

CHAPTER ONE

JOCHANAN BEN ZAKKAI: HIS INFLUENCE ON THE DEVELOPMENT OF JUDAISM.

The advent of John Hyrcanus to the throne of Judea marked a new epoch in the history of the Jew. Fighting originally for the preservation of the nation and for the purity of the religion, both of which were threatened by Hellenic influences before he came to the throne, he pursued a policy, as monarch and high priest that, unforeseen by him, was to result politically in disaster for the state; but equally unknown to himself and his successors, which was to result religiously in a religion whose complexion was to be reflected throughout the ages in the spiritual enlightenment of the world.

The struggle of the Macabees was a two-fold one: firstly, against the priestly-political party within the state, whose trend seemed to be favorable to Hellenization; and secondly, in favor of the party zealous for the ancestral faith - against the armies and influences of the Greeks who threatened to destroy both state and religion.

Though the Macabees accomplished their immediate end, we find the peculiar phenomenon of the Macabean priest-king attaching himself in later years to the very party whose principles and aims he so bitterly opposed in the beginning. As temporal king, he soon expanded the boundaries of his land to an extent which they had never occupied before. As priest, his wars were religious wars, and great victories were commemorated as holidays in the calendar, and Israel's time-honored enemy, Idumea, was forced to accept Judaism as their national religion.

The source for the first two chapters is Graetz's "Gesch. der Juden" unless otherwise stated.

As king and priest in one, as warrior, ruler and head of the religious system, he surrounded himself with those whom he thought best fitted to help him in the fulfillment of his ends: the generals in the army; the diplomats, well versed in the customs of the nations with whose leaders he was bound to come into contact; the aristocracy whose financial support he needed; the priests, who were the "old families", and who were familiar with the activities in and about the temple.

Political expansion meant political alliances with the heathen nations. Political alliances with the heathen nations meant compromising, to some extent the religious faith and practices which he fought to keep pure. And so we find John Hyrcanus soon standing on the same ground as did the party within the state which he opposed before he came to the throne. His new stand resulted in the formation on definite principles of three distinct parties within the state.

First, there was the governing class: the warriors, diplomats and priests - John's advisors and counsellors; the royal party, whose chief aim was the furthering of the political welfare of the state. They also arrogated to themselves the religious functions and priestly prerogatives as exclusive to themselves, and declared themselves governed, as to their religious observances, only by the laws of the Pentateuch. They developed into the party called the Sadducees.

On the other hand was the party which we might characterize as the "patriotic-religious party". Not the less interested in, and anxious for, the national welfare,

they, in fact, considered it a religious duty to further the political independence of Judea. Still further, they insisted that all political undertakings must bear the stamp of Judaism. In so far their political idea. In addition, from the religious side, they insisted no less strongly that Judaism as a religion be preserved. The differentiation was chiefly this: that the priestly party insisted that the only religious laws strictly binding were those laid down in the Pentateuch. The religious-political party insisted that the oral law was fully as binding as the Pentateuchal laws; and they wanted Judaism preserved as it was handed down to them - as amplified by traditional teaching. The adherents to the principles of this second party developed into the party called "Pharisees", and were an outgrowth of the pre-Macabee party of the "Parrushim".

However, there was yet a third party that grew up in Judea. They were in no sense a political party. They took no active part in the political life of the state. They avoided participation in affairs of the public weal. They were the strict and literal observers of the religious customs. Their chief concern was the maintenance of the Levitical purity; and to this end they separated themselves entirely from those who did not belong to their sect. Out of this group developed the party known as the "Essenes".

These, very briefly, were the parties that existed at the time when John Hyrcanus ruled. Later they took on each a definite form; each with definite, fixed purposes and policies; and we find them by the time that John

Hyrcanus reached his height in somewhat the following positions:

The Sadducees, with their philosophy declaring: "National patriotism above piety." They rejected the oral tradition nourished by the Pharisees, holding as binding only those ordinances laid down in the Pentateuch, especially with regard to the sacrificial cult, fixing of the calendar, etc. They declared that to further the interests of the state, some religious injunctions would of necessity have to be broken. In short, "the Sadducees - the princes, the priests, had become more and more narrow-minded, sought to identify the whole range of religion with themselves; they gradually ceased to be the ministers and servants of the religion: religion was to serve them." It was quite natural, therefore, that the great majority - the masses, devoted to the religion and the best of the national life compatible with the religion - should be opposed to them.

The Pharisees were true patriots, zealous patriots, but at the same time devoted to the study and the practice of their religion. They were the majority party, in point of population "the sound and vigorous body of citizens" who "regarded the priests and ruler their representatives only insofar as they truly watched over their religious and political life; but as soon as they made their own personal interests paramount to the claims of Religion and the Commonwealth...the best body of citizens was in opposition to the Sadducees." True to their principles, they entered into the heart of the political life,

but from a primarily religious interest. Their leaders were equal to the priests in the national councils. They were the heads of the Sanhedrin - of the civil and religious courts. They sought to keep the people from committing political and religious excesses: they aimed to preserve the state, and at the same time to preserve the true and pure religious life. They opposed the disrupting political influences. They lived to improve present conditions, though they had an eye on the future: to the preservation of the religion.

The Essenes, who might be described as originally ultra-conservative Pharisees, developed into a sect so totally different from the others as to have become absolutely estranged from them. They took no interest in political affairs. The primary emphasis in their lives was upon the maintenance of the Levitical purity. And so, in an effort to conform to the requirements of Levitical purity in absolute strictness, they drew off by themselves. They became thoroughly separated, developed a perfect communism. Their attention was completely away from worldly matters. Their lives centered about legal and ceremonial religious activity. They developed peculiar religious notions: especially, mystical doctrines about God, of angels and of a future world. They came to be looked upon as a peculiar people, endowed with the power to foretell the future, to perform miracles. They literally lived outside this world - and only for the future world.

Though attempting always to maintain harmony between the Sadducees and the Pharisees, Hyrcanus, towards

the end of his reign broke with the Pharisees completely. He deposed the Pharisees from the high placed which they had filled. The high offices in the Temple, the courts of law and the council were given to the Sadducees. Naturally the flame of hatred against the Hasmoneans, once the idols, burned within the Pharisean breast. It broke forth in an antagonism against Hyrcanus, to succeed him to the throne, culminating in civil wars which served to hasten the decline and ultimate fall of the nation.

Conditions under the successors of Hyrcanus fared from bad to worse. And, as a result of the miserable civil war between his grandsons, Hyrcan II and Aristobulus II, Rome was brought upon the scene in Judea. Through the machinations of Antipater, the Idumean, these two were persuaded to appear before Pompey, as judge, as to which was entitled to the throne. Pompey, pursuing solid Roman policy, weighed the situation, saw where he could gain control of the country - and did so. The result was that Hyrcan II was declared ethnarch of Judea, under Roman sponsorship. Judea was now hardly more than a Roman province. The political power of the Sanhedrin became a thing of the past. It was now solely a religious power in the state. Its heads no longer made the law for Judea; they only interpreted the law.

With the defeat of Pompey and the appearance of Caesar upon the scene, Antipater, still the guide and adviser of the weakling, Hyrcan II, ingratiated himself so thoroughly with the new master of Rome, that he was able to put Hyrcan out of the way, and partition the kingdom a-

mongst his three sons. The Idumaeans, the ancient enemy of Israel, who had been forcibly converted to Judaism when conquered by John Hyrcanus, had now become the masters of the political destinies of Judea. The fruits of his political policies were beginning to show. Even though the Idumaeans had become Jews, they were that merely in name. The ancient enmity towards their conquerors still showed itself. And Herod, the son of Antipater, now become king, vented his wrath upon the nation and the people.

Three things of importance transpired during the reign of Herod which must be considered here because of their decisive influence upon the activities of Jochan ben Zakkai. The one, that Judea was the more completely reduced to a mere Roman province. The second, ~~that~~ Hillel was appointed to the position of head of the Sanhedrin. The third, the rise of the Zealots.

Herod, or, as the people called him, the Idumean slave, was now king. "The bitter hatred of the Judean people, whose ruler he had become without the slightest lawful title, was nothing to him as the friendship of Rome... His line of action was clearly marked out for him by the situation of affairs: he had to cling to Rome as a support against the ill will of his people and meet this ill will by apparent concessions, or control it by unrelenting severity. This was the policy he followed from the first moment of his victory until he drew his last breath." Consequently, as a logical result, he gained the cordial hatred off all the people, on the one hand; and as the result of his pandering policy, Judea, under the manouvering of the

empire-seeking Romans, fell completely into their hands.

As compared to Herod, the Hasmoneans, who had fallen into disfavor with the vast majority of the people because of the later attitude of John Hyrcanus himself and his successors, - the Hasmoneans were considered ideal rulers. So, as a matter of self protection, Herod saw to it that the descendants of the Hasmonean house were put out of the way. This had only the result of embittering the people the more against him. This bitterness was increased even more after his death; for, while his family was fighting within itself for the possession of the kingdom and the claimants to the throne went to Rome to lay the matter before the Emperor, the Roman authorities in Judea of their own accord sought a pretext to enter the city and plunder it, and especially the Temple, of whatever valuables they could lay hold of. The people could restrain themselves no longer, and under the leadership of several of their number, notably Judas, the Galilean, of Gamala in Gaulinitis, they organized themselves into independent bands and fought against the Herodians and Romans in Judea. But their scattered efforts were futile; and at the death of Archelaus, the son of Herod, who had retained the throne, Rome added Judea to Syria - and Judea was now nothing more than an ordinary Roman province.

Some fifteen years previous to this, when Herod had departed to Rome to ingratiate himself with the Emperor Octavius so as to insure his place as King of Judea, he had appointed as head of the Sanhedrin, Hillel, the Babylonian, who had been one of the pupils of Shemaiah and Ab-

talion, who at the time were heads of that body. The causes for the change are not known. However, the results of this action were of supreme importance to the future of Judaism.

The significance of this appointment in the midst of the chaotic conditions that characterised Herod's reign and the reign of his successors may be judged from the Talmudic saying: "The torah had been forgotten; then Ezra came from Babylon and established it anew; and again the Torah had been forgotten, and Hillel arrived from Babylon and established it anew." "It was not forgotten, but it was paralyzed; it was about to lose its vital energy and influence upon later development, if Hillel, the man of profound understanding and true religious life, had not effected its regeneration. It may be that the Babylonian Gemara and Ezra emphasises with special pleasure the fact that Hillel/had come from Babylon - for the men of the Babylonian Talmud were proud of Babylon, despite the oppression they had to suffer there - and that very fact may contain a truth, viz: that just such men who were not mixed in and were not wholly saturated with the momentary conditions of Palestine, who had breathed a different atmosphere and perhaps viewed wider fields, were especially fit to awaken a new popular spirit. At any rate, Hillel was a man who exerted a decisive influence on Judaism." (1)

Because Hillel was a man of such importance and influence, and especially since he, being the teacher of Jochanan ben Zakkai, he transmitted his spirit to him, a

(1) Geiger: Judaism and its History, pp. 113-114.

brief sketch of the man and his immediate influence will not be out of place here.

The famous story that tells of Hillel as a boy, who in his anxiety to learn, was half frozen as he lay at the window of the lecture room during a snow storm, gives us an insight into two facts of his life: his evident poverty and his anxiety and zeal for learning. We are told other stories to show his poverty; and possibly it was because he was poor, and of the common people, that he had more heart for the people and its wants. He was patience and humility and meekness personified; possessed of a great zeal for study and love of peace. Yet he was opposed to the priests; and though he pointed to scripture for certain privileges of the priests, he fought against the privileges they assumed for themselves, and narrowed down their prerogatives most closely. To him, the basis of Judaism was love of man. And this fundamental teaching characterized his life and his work. Though he was a defender of tradition, he saw Judaism as a continual development of practical life. He was a true reformer; -- adapting and interpreting Judaism to new conditions. He was a man of social, practical life, and invigorated and elevated the life of Judaism in all possible manner. He did not believe in seclusive piety, as his well known saying, "Do not separate thyself from the congregation" testifies. This may have been directed against the the Saducees, of separatistic tendencies of a nature quite different from those of the Essenes, against whom, no doubt, it was aimed. As to his method of teaching, it was Hillel who laid down the

laws, the "seven hermeneutical rules", for deducing laws from the Biblical text, which were followed by his successors.

As a matter of equal interest in the study of the development of Jewish affairs at this time, the activity of the great contemporary of Hillel, Shammai, must also be considered.

The chief point of difference between Hillel and Shammai lay in their opposite attitudes towards the law. Where Hillel was liberal, Shammai was uncompromising and narrow. Where Hillel endeavored to interpret the law in accordance with its spirit, Shammai accepted it in full literalness, and interpreted it in accordance with its letter. Another point of difference lay in the attitude of the two men toward proselytes. While Hillel was always ready to receive proselytes, Shammai's hatred for them was greater than even his religious devotion, since he attributed the miserable condition of his people directly to the proselytized Idumeans. And so, though strict in the observance of the law in its minutest details, he could permit the waging of war on the Sabbath. Though both Hillel and Shammai were Pharisees, their views were so opposite as to have had each a distinct following amongst the people.

Seeing the results of heathen oppression, many of the people were with Shammai. His attitude towards the heathen, together with his firm stand for the preservation of the law in all its purity, could not but have influenced many of the people who felt much the same as did he. Their feeling was so strong on this point as to be almost an obsession with them. Zadok, a pupil of Shammai, allied

himself with the bands of patriots in their guerilla warfare against the Romans. Others followed him; and in the course of time these bands, which originally formed themselves to punish the crimes and bloodshed of Herod, became a new sect, determined to fight to the last for the preservation of their religion and the state.

The bands of patriots were organized, as was said before, primarily as a protest against the king, Herod. They were filled with the idea that God alone was king over them, and therefore Herod must be put out of the way. While in this formative stage they were called Sicarii, because of the small dagger which they carried with them continually. But with increasing Roman unscrupulousness and persecution, they became now men of burning patriotism and zeal, bitter enemies of the intruding Roman power; for they saw the ruin of the state and the disappearance of the religion if the Roman heel were to be permitted to crush them. And so they put their whole souls to their task, determined to either avert the catastrophe or to accelerate it. They represented a cause dear to the hearts of the masses, and consequently their numbers grew. However, they look upon the milder group of Pharisees, headed by Hillel, as unfaithful, compromising. It was a crime against the religion, they said, to obey the empire, or to yield in any way to Rome. God was the only king to be obeyed. These were the sentiments of their leaders, Judah, the Galilean, and Zadok, the Shammaite.

However at this time they were as yet ununited, without any central organization. They were little more

than bands of murders and destroyers of property. They came to be repudiated by the Pharisees of the Hillel school, who could plainly see the futility of their struggle against the power of Rome, and who could appreciate the consequences of their certain failure.

However, as is but natural in groups striving for an ideal - and especially when they are fanatic in both their strivings and their idealism - there came to be, through force of conditions, some semblance of unity amongst these bands of patriots, or Zealots, as they came to be called, as, indeed, there seemed to be amongst all the factions at one time.

CHAPTER TWO

Conditions were rapidly nearing a point, in Judea, where the strain in the relationships between Roman and Judean was nearing the breaking point. There were three elements at work, all of them inimical to the best interests of the Judean people. In the first place, the population was in a period of depression due to the rapacious conduct of the Roman procurators, on their own accounts on the one hand, and also the equal rapacity of the Emperors themselves. Thus, heavy taxes, extorted by force, inhuman persecution, wholesale slaughters of innocent civilians, all went to aggravate the already hostile attitude of the masses towards the Roman rulers.

The shamelessness of the Herodian princes in their inglorious pandering to the Roman power, whereby they betrayed the people whom they were meant to serve, only served to increase the misery of the people and to drive them earlier to their desperate decision of revolt. Added to this, was the cowardice and servility of the Judean aristocracy, who, being in league with the Herodian rulers, sought their own interests above the interests of the people; and in so doing, they betrayed the great masses into the hands of their oppressors.

Besides these political and social insults to the lives and feelings of the people, their religious sensibilities were torn by the arbitrary conduct of the high priesthood and their families. The occupants of this once exalted position were placed there by the whim of the Herodian rulers. Their priests used their office as a means to obtain wealth through shameless plundering of the

impoverished people, rather than to maintain and uphold the dignity and sanctity of their position.

And finally, added to all this was the dissension amongst the people themselves. Without a real leader, whose interest was the interest of the people and the state, the rival parties, Sadducees, Pharisees, Zealots and Sicarii, were at each others' throats continually. There was being enacted the woeful spectacle of well-intentioned patriots struggling to instill their spirit into the minds and hearts of their fellow-citizens; but being hampered on the one hand by the disloyal aristocrats and priests, and on the other by independent groups who, entertaining interests which were perhaps primarily patriotic, pursued methods in obtaining their ends that invited the persecution of the Roman despot - a fact which set the Zealots all the more against them. The Phariseean leaders and teachers, who foresaw the inevitable result of opposition to the Roman power, and who, in their desire to preserve the religion, if not the state, pursued a policy of conciliation towards the Romans, were opposed by the impetuous leaders of the popular parties, and were forced into the background.

These horrible conditions naturally reacted upon the minds of the people. Seeing no immediate relief, they fell back on the notion that soon there would appear the Messiah, who would lead them out of their difficulties. Conditions were certainly ripe for this kind of speculation. And this idea and hope, plus the earnest activities of the

disciples of Jesus, paved the way for the rise of Christianity.

But in those times of dissension, even Christianity could not remain unified; and soon there was a distinct rupture between the Judean Christians, who were in sympathy with Phariseean aims, and the Gentile Christians, who through pagan influences in their new religion, were hostile to the Jews. This attitude towards the Jews on the part of the Gentile Christians only served to increase the misery of the people; for to gain their ends, the Christians used every means in their power to betray the Jews to the Romans, and to hinder them in their struggle to throw off the Roman yoke.

It was in the midst of a turmoil such as this that a soothing balm appeared in the personage of Agrippa, in whose veins flowed the blood of the Hasmonean as well as the Herodian. The Herodian instincts of Agrippa were worn out in his earlier years as the favorite of the Roman emperor, Caligula. As king of Judea, through the grace of Caligula, the Hasmonean elements came to the fore. And during the short period of his reign, the halcyon days of John Hyrcanus seemed to have returned.

Through benevolent grants from the Emperor, the boundaries of Judea were the largest in extent that they had ever been. And though pretending deference and loyalty to his patron, Agrippa aimed to strengthen his kingdom to withstand forever whatever attacks Rome may have chosen to direct against it. However, his attempts at alliances with surrounding kings were fathomed by the ever-watchful Roman

governors, as were his efforts to strengthen the fortifications of Jerusalem. Still, in spite of their reports to the Emperor, Agrippa remained firmly entrenched in his good graces, and was permitted to rule unmolested.

During his reign apparent unity was effected in the nation. In the comparative peace and quiet that followed his accession to the throne, the old life of the people seemed to have been restored. The Sanhedrin was again restored to its former position, with Gamaliel at its head. And under his direction, ably assisted by Jochanan ben Zakkai, the Sanhedrin acquired an importance that it had never before enjoyed. "The Sanhedrin, modelled upon the political constitution of the country, partook somewhat of a monarchical character. The consent of the president was required for the interpolation of the leap year, and all letters or mandates addressed to the near or distant communities were sent in his name..... Many excellent laws emanated from Gamaliel; they were principally directed against the abuses that had crept in, or were aimed at promoting the welfare of the whole community. It was the true spirit of Hillel that pervaded the laws framed by Gamaliel for the intercourse between the Judeans and the heathen... In these ordinances, so full of kindly feeling for the heathen, the influences of Agrippa are plainly visible. Rome and Judea had for the moment laid aside their mutual antipathy, and their intercourse was characterized by love and forbearance...."

However kindly might have been the feeling of Caligula for the Jews because of his affection for his

friend, Agrippa, it is certain that no such feeling existed in the hearts of his subordinates. For as soon as Agrippa died, the old antipathy between Roman and Jew and Jew and Roman cropped out anew. Agrippa was succeeded upon the throne by his son, Agrippa II, a youth of seventeen years, so steeped in immorality as to have lived incestuously with his sister, and utterly unfitted for his position as ruler. Servile to Rome, really anti-Jewish, it was not long before the people realized that they were sold into the hands of their erstwhile oppressors.

Practically the only power left in the hands of the Judean king by Rome was the power to appoint the high priest. And "it was not religious zeal or moral worth that swayed Agrippa in the choice of the high priest, but simply the sentiments felt by the candidates for that office towards Rome. He who carried servility and surrender of national aspirations furthest gained the prize....In barely twenty years, Agrippa had named at least seven high priests."

It seems that ever since Herod, certain families were favored by having the high priesthood conferred upon one of their members, and that "the members of these families vied with each other in dishonorable conduct and frivolous thoughtlessness. Often their fierce jealousy broke out in acts of violence, and the streets of Jerusalem were occasionally the scenes of bloody skirmishes between the followers of those hostile, rival houses. Each succeeding high priest tried to gain as much as possible out of his office, giving - heedless of the worth or fit-

ness of the recipient - the most lucrative places in the Temple to his relatives and friends.....Those priests who had not the good fortune to be related to the high priest were thus deprived of their means of sustenance, and fell into stringent poverty. Avarice and greed of power were the mainsprings of the actions of those who were elected to represent the highest ideals of morality; the Temple was despoiled by its dignitaries even before the enemy forced his way into it with his weapons of plunder."

Such were the conditions in the ranks of the upper classes. It must have been but natural that the higher minded Judeans - the men of the schools - lamented these conditions. Yet they were powerless. On the other hand, these conditions had their reaction upon other groups. The Zealots were as bitter against these Romanized, traitorous Judeans as they were against Rome itself. Other bands of Zealots forgot their original purpose, and used their opportunities for gain for themselves. And so there was further friction between the citizens of Judea themselves.

Such were the conditions within Judea during the period of the beginning of the second half of the first century of the present era. One party distinctly favorable to Rome; another party holding aloof from all others; the third, the Zealots divided amongst themselves. However, the various bands of patriots, after settling their quarrels with each other by force of arms, formed themselves into something of a unified organization against the constantly growing pressure of the Roman arms. But with victory in sight, dissensions again cropped up. Their strength

was spent in fighting against each other within the walls of the besieged city. And the Roman armies, under Vespasian and, later, under Titus, awaited the opportune time to strike the decisive blow that was to mean the end of the Judean nation.

That time soon arrived. The walls of the city were razed, the city burned, the Temple destroyed. The counsel of the noblest of the nation had not been heeded; their spirit melted, temporarily, before the white heat of zealous, armed patriotism. But when the end came, and Judea was destroyed never to rise again as a nation, their spirit remained. Out of the ruin of Judea, rose Judaism, the fruit of the activity of those men who saw beyond armed hordes and fortified cities, beyond national aspirations; who realized the strength of the spirit as superior to the strength of material power; and who, consequently, labored to save out of the ruin which they knew must come, the religion of the people - the spiritual force of which they appreciated and knew to be more enduring than its form and the preservation of which they saw to be of greater importance than even national independence.

CHAPTER THREE

In effect, the Roman war against Judea meant the ruin of the state, the destruction of the Temple, the depopulation of Judea. These were the tangible effects; their meaning was reflected in the despair of the people. The subjection of the political entity left them without hope in that direction. To a great majority the fall of the Temple meant the ruination of the religious life. The far-reaching effects of the deportations could not be appreciated by those left behind, to whom this act of the Romans meant degradation and loss.

Without any semblance of political independence, and with the center of the religious life a thing of the past, many separated themselves into ascetic groups, while others joined the rapidly increasing Judean Christian congregations. (1) Especially was this latter action the case, since Christianity was beginning active propaganda for converts to the new faith. Their pleasing promise of the future life and the rewards in the hereafter were particularly attractive and consoling to those who saw no future for their old religion. And on the other hand, the psychological state of the people made them readily susceptible to the mystical elements of Christianity, their emphasis on such things as Moses's seeing God face to face, his hearing of God's voice, etc. While the emphasis on Christian parallels to Judaism and their false interpretations of the law must have been appealing to those Jews,

(1) Tos. Sotah 15; Baba Bathra 60b; Justin. Dialog. cum Trypho, Ch. 47. See also Note 1, appendix this chapter. Also Baba Bathra, 11fb.

who being lax in their Judaism, seized upon the new religion as a means of convenience for themselves as well as an opportunity to escape whatever steps the Romans might choose to make harder the already difficult lot of the people whom they had conquered. (1)

The times were characterized further by two other factors that contributed to the growing despair of the Jews. The Romans taxed heavily and encroached illegally upon the property of the Jews. They took forcible possession of their property with impunity. Loss of property, together with exhorbitant taxation which they found difficult to pay, made the loss of liberty of the people the more keenly felt and particularly galling and burdensome. (2) At the same time there was a lack of harmony between the sects. The Zealots, now that their cause was lost, cannot but have been unpopular among the rest of the population, since the catastrophe was directly a result of their struggle against the Romans, who had now brought such misery upon the people. The peace party, too, represented by the leaders of the Pharisees, had to endure the animosity of those who were bitter against the Romans before the fall, and who blamed these same pacifists for the catastrophe, since they did not lend their support to the revolt. The priests and Sadducees, who had been always favorable to Rome even to the detriment of the best interests of the state and the religion, were now without office, ~~on the one hand~~, and were out of favor with those who still hoped for a change

(1) Friedlander, "Ben Dosa u. s. Zeit" p. 25.

(2) Graetz, Gesch. IV, pp. 23-24. Kethuboth 66b. Note 2, appendix this chapter.

for the better as well as with those whose ideal was to preserve the religion in its spirit, rather than in its form, since the seat of formal Judaism, the Temple, was destroyed.

The times required a great personality - one who could alleviate the despair of the people, who could console them effectively over the loss of the Temple and the destruction of the state; who could unite the remnants of the sects and parties on a common ground; who could combat the influences undermining the religious unity of the people; who could, in short, provide a common ground whereon all the people could come together, and which they could accept as a starting point for reaccommodation and new growth. Such a personality was Jochanan ben Zakkai.

Jochanan ben Zakkai was the leader of those who, even before the revolt, favored a conciliatory policy toward the Romans. He enjoyed a special authority among the people, having been a pupil of both Hillel and Shammai (1). He had also been the Ab Beth Din or vice-president of the Sanhedrin while Gamaliel the Elder was at its head, (2) and so, quite naturally, after the death of the latter, he was looked upon as the man most competent to succeed him. He was, in truth, the outstanding man of the generation (3).

During the war against Rome, Jochanan counselled peace; and when, during the siege of the city, the strife between the various parties became unbearable to him, he

(1) Landau, Monat. Vol. I, p. 167ff. Aboth II:8; Baba Bath 134a
(2) Grätz, Gesch. Vol. III. (appendix this chap. Note 3)
(3) Landau, Ibid. See Note 4, appendix this chapter.

knew then that the fall of the city was inevitable; and determined to save what he could of the ruin, he had himself borne from the city in a coffin. Once outside the walls, he came before the Roman general, Vespasian, and hailed him as king. Vespasian, flattered, received him kindly, and gave him the privilege of asking a request that would be granted. Jochanan made the apparently harmless request that he be permitted to have a school at Jabneh. The request was granted; and he retired there with his disciples.

Though a pupil of both Hillel and Shammai, his greatest influence was the former; and it is as the true inheritor of Hillel's spirit that he lived and worked (1). He was the favorite pupil of Hillel; and he lived up to the prophetic characterization of him that his teacher voiced: "Ab leNachmah veAb leDoroth - Father of wisdom, and father of coming generations." (2).

Jochanan's chief concern was the preservation of the law and the study of it. And as a teacher, as well as as one who knew the law, he was famed, even at his own time. All the qualities of the ideal student are ascribed to him (3). He was considered the bearer of tradition that goes clear back to Moses (4). He was the wisest of all the rabbis, and it is said of him that when he died, the glory of wisdom ceased. He was, indeed, the most important Tanna in the last decade of the second temple(5).

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- (1) Bacher: Agada d. Tannaiten; b. Nedarim 29b; j. Nedarim 5.
 - (2) *ibid.* See note 5, appendix this chapter.
 - (3) Succah 28a; Aboth v Rabbi Nathan, 14:1. See note 6, appendix this chapter.
 - (4) Schürer: Gesch. d. Jüd. volkes, Vol. II, p. 398. See also note 7, appendix this chapter.
 - (5) Bacher, art. "Jochanan b. Zakkai, Jewish Encyclopedia.

During the turbulent times of the siege of Jerusalem, Jochanan saw that the Temple was doomed to destruction. When the gates of the Temple at one time opened of themselves, he prophesied to them: "Oh, Temple, Temple, why dost thou frighten thyself? I know that thou wilt surely be destroyed. Zechariah ben Iddo has already prophesied against thee: 'Open thy doors, Oh Lebanon, that the fire may destroy thy cedars.' " (1). But he realized, too, that the essence of Judaism was not indissolubly connected with the Temple and its altar, and hence could not perish with them. He appreciated the fact that the preservation of Judaism, if it was to be preserved, meant the preservation of the law. And as he kept the vision of the fulfilling of this task constantly before him previous to the destruction and attempted to realize it by remaining above the jealousies and strifes of the parties, so after the destruction he worked to fulfill this ideal.

During the party strife in Temple times, Jochanan prepared a circle of students to lay the foundation for this new era (2). And it was either out of fear of the furious fanaticism of the Zealots or out of precautionary measures to secure in advance a refuge for the law that he fled to the camp of the Roman general (3). And it may be that he was successful in obtaining his desire because the Romans knew his friendly attitude towards them through

(1) Joma 39b. See note 8, appendix this chapter.

(2) Bacher, *Agadah d. Tannaiten*; Pesachim 26a. See note 9, appendix this chapter.

(3) Graetz, *Gesch.* Vol. IV, p. 12.

spies that they had placed within the city (1). However, he was permitted to have his school in Jabneh; and it was here that he convoked a Sanhedrin and was acknowledged as its president (2).

The time was ripe for living, concrete ethical teachings rather than for abstractions. So he placed study and righteousness above law and sacrifice in his system.

(3) His kind, benignant character influenced his political activities, and led to a tolerance (as against the Zealots' fierce intolerance) which probably worked to soften Vespasian and Titus in their attitudes towards the Jews.

(4) Another outstanding characteristic of the man was his conscientiousness, as shown by such passages (Melim 17:16) where he displays no hesitancy in discussing a hateful subject like false balances (5). In his relations with his fellowmen he was always courteous. It is related of him that he always greeted a person before that person greeted him. Purity of speech and humility also were outstanding features of his character that made him so well beloved (6). And in his relations with his pupils he was always sympathetic and undogmatic, asking questions, rather than making statements, and willing to accept the view of a pupil over his own view, if there was warrant for it (7).

In other words, he possessed all the attributes of greatness: modesty, scholarship, forbearance, executive a-

(1) Graetz, *Gesch.* Vol. IV, p. 12.

(2) See note 10, appendix to this chapter; note 11, *ibid.*

(3) Chagiga 5:1. *ibid.* II, p. 32. (See also *ibid.*)

(4) Graetz, *Gesch.* Vol. IV, p. 22; Berachoth 17a; Baba Bath 10b. See note 11, appendix to this chapter.

(5) Braunschweiger, *Die Lehrer der Mischnah*, p. 146.

(6) Succah 28a. See note 12, appendix to this chapter.

(7) Landau, *Monat.* Vol. I, pp. 159-70. Baba Bathra 10b

bility, resourcefulness, high ideals, and an impelling zeal to accomplish his ideals in the face of obstacles. But above all, he was filled with that religious spirit that comes from a strong sense of the nearness of God. His comforting thought over the destruction of the Temple was: that wherever Israel was exiled, God was exiled with them(1). Small wonder, then, that this man stood out above all the men of his generation as the one man fitted to organize the life of the people on a new line that would give it permanence, and enable it to endure future catastrophes of even greater magnitude.

(1) Landau, Monat. Vol. I, n. 175.

CHAPTER FOUR

Before the destruction, synagogue services, Torah reading, and, after Hillel, scriptural interpretations together with growing respect for the rabbis existed side by side with the Temple cult. After the destruction, Jochanan simply emphasized this first mentioned side of the religious life, and worked to have it replace the other. And in the same spirit as he said before the destruction that just as the sin offering atones for Israel, so charity atones for the Gentiles", he said, after the fall, "deeds of love replace sacrifices", quoting the words of Hosea, (VI:6): "For I desire goodness, and not sacrifice; and the knowledge of God more than burnt offerings." (1) This, then, was the principle that motivated him in his great work of religious reconstruction. He believed that study of the Torah was the natural state of man(2), and he was a living proof of this conviction (3), urging this kind of a life not only upon his followers, but even upon the priests as a means of salvation for them(4).

Jochanan lives in school tradition as the "all-grasping", who had reached all fields of learning. He is reputed to have studied every part of Jewish tradition(5) and to have treated every part of the oral law - Halacha, Midrash, Agadah and Talmud.(6) Legend acquaints him also with other sciences and branches of learning(7). However, he was not so one-sided as to have busied himself only with study, to the exclusion of everything else. He was

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- (1) Aboth/R. Nathan, Ch. 4. See note 1, appendix this chapter.
 (2) Bacher, Agada d. Tannaiten.
 (3) Aboth II:9; Aboth/Rabbi Nathan, Ch. 14 and Ch. 22. See note 2, appendix this chapter.
 (4) Rosh Hashanah 18a. Note 3, appendix this chap.
 (5) Nusi Soferim 16:81. Note 4, appendix this chapter.
 (6) Quesz, Gesch. Vol. IX, p. 19. (7) Succah 28a. Note 5, appendix this chap.

famed also as a practical man(1). And it was as the practical man in his building for the future that he reflected the spirit of Hillel, his teacher.

The same sympathetic attitude that characterized him in his relationship with his pupils, marked him in his attitude towards opponents of his, whether Sadducee, heathen or Christian. So, too, were his controversies marked by his patience and his strong defense of Jewish laws. To those who impugned Judaism and the Jews, basing their statements on evident contradictions in scripture, he showed that their beliefs and literatures also had in them seeming incongruities.(2) His explanations of Jewish customs to outsiders were marked by a breadth of interpretation and a facility of explanation and clarity that precluded the necessity for him to put a religious connotation upon them as he did when the same question was propounded by his pupils, through Agadic interpretations.(3) Even during Temple times he defended Judaism, as he interpreted it, through positive teaching. It is told (4) that he hindered a Sadduceean priest from burning the red heifer according to the Sadduceean method, insisting that it be done according to the Phariseean method. We had other disputations with Sadduceans on questions of law that subsequently disappeared from history(5). He attempted always to

(1) Friedlander, "Ben Dosa u. s. Zeit, p. 25.

(2) Bacher, *Agada d. Tannaiten*, pp. 39-40

(3) *ibid.* p. 41; see note 6, appendix this chapter.

(4) *Tosefta Parah*, II:2

(5) Schürer, *Gesch. des Jüd. Volkes*, Vol II, p. 367.

base all his traditional statements upon a traditional ground so as to prevent opposition from the Sadducees, and was worried when he could not do it(1); and with regard to apparent contradictions in scripture, he fights sectarianism among his disciples by never saying anything not surely traditional.(2)

Jochanan was the first who defeated the Sadducees with arguments, and who understood to upset their groundless theories by keen dialectics(3). He had controversies with the Sadducees on many questions, such as the time of Shabuoath, why the daughter does not inherit with the wife's grandson(4) and other questions in which he displayed the same incisiveness that characterized all his controversies.

It was his custom, also, to hold discussions with heathens who were acquainted with the doctrines of Judaism, refuting their objections, and explaining "the singular character of the religious precepts by fitting similes and parables."(5)

In all his activities, whether as teacher in the classroom, as controversialist, as originator of laws and customs, Jochanan strove to appeal to the moral and ethical senses of the people rather than to their superstitions. But particularly was this the case in his symbolic interpretations of the scriptures (agadah). He went deeply into the spirit of the scripture, and in the scripture itself found the agadah. And in all his agadic interpretations of

(1) Sotah 27b. See note 7, this chap.

(2) Landau, "onot. Vol. I, p. 172.

(3) Graetz, Gesch. Vol. IV, p. 12; Talmud **IV**:o. note 8, appendix

(4) Baba Bathra 114b; note 9, appendix this ch. (this chap.

(5) Graetz, Gesch. Vol. IV, p. 19.

the biblical passages he placed the primary emphasis on good deeds and the study of the law. Not only was he the first to study Agadah, but he raised it almost to the level of philosophic inquiry, in that he tried to explain legal decisions logically and connect them with general truths(1).

He used this method of agadic interpretations in discussing the law with those outside his school. But he did not stop there. He encouraged his pupils in this same direction so as to give them practice in arriving at opinions, and at the same time to train them in discerning and judging questions. (2)

This method of Biblical interpretation was characterized by the rabbis as "Homer". The meaning of the term is doubtful(3). An example of this method of interpreting scripture from the scripture itself may be cited in the following (Mechilta to Exodus, XX:25): "Why should not iron be used on the altar?" Iron is used in warfare, a pursuit which in its very nature is opposed to the things the altar stands for. And from this conclusion he draws the lesson of universal peace(4). The practical value of his deduction may be the more appreciated when we consider that it must have been made at a time of bitter feeling and intense party strife (5).

Jochanan was famous in his time also for his secret teachings of cosmogony and theosophy as well as for his polemics against the heathens, Christians and Sadducees,

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- (1) Grätz, Gesch. Vol. IV, p. 18; {Saba Kama 79b, see note 10, r//
 - (2) Bacher, Agadah d. Tann. p. 37. (appendix this chap.
 - (3) Bacher, Agadah d. Tann. p. 33, note.
 - (4) See note 12, appendix to this chapter.
 - (5) Bacher, Agadah d. Tann. p. 30.

and for his ethical teachings, though it is difficult to say what it was he taught, exactly, in this field(1). However, the time when he lived was one in which mystic philosophy was at its height. And the fact that he is mentioned as an important link in the chain of tradition of the Ta-ballah(2), together with the fact that all his prominent pupils mentioned in Aboth, with the exception of Eliezer b. Hyrcanus (who was a Shammaite in spirit) followed in the same path, undoubtedly through his influence(3) would indicate that he himself must have been influenced by the mystic trend of the time per se, or else used it to add weight to the principles he enunciated so that they might the more readily become accepted as authoritative.(4)

In order to make Judaism conform the more to conditions as they came to be after the destruction of the Temple, Jochanan made certain legal institutions which, though they met opposition at first, came to be accepted. These institutions of "takanoth" came from Jabneh. Jochanan saw to it that Jabneh took the place of Jerusalem as the religious center. And so he ordained that certain privileges that had been peculiar to Jerusalem should be transferred to Jabneh. So, the Temple being no longer in existence, the Shofar, which had been blown previous to the destruction of the Temple only in Jerusalem, could be blown now wherever there was a court.(5). Previous to the destruction of the Temple, it was the custom to wave the Lulab the seven days

(1) Bacher, Agadah d. Tannaiten, p. 43.

(2) Neumark, Gesch. d. Jud. Phil., Vol II, p. 57.

(3) ibid. pp. 57-58.

(4) Sukkah 32b; Brubin 19a; Hagiga 13,b; See note 13, appendix to this chapter.

(5) Rosh Hashanah IV:1. (see note 14, appendix this chap.)

of the Succoth festival only in the Temple, and only one day outside of it. Jochanan now ordained that the Lulab was to be waved everywhere seven days, as a memorial to the sanctuary. (1).

So also certain other customs which had been regulated by the Temple were changed. The new grain, which could be eaten immediately after the Omer was taken the second day of the Passover during Temple times, could not now be eaten until after the second day, since they could no longer tell the exact time ~~time~~ when the Omer could be brought. (2) Witnesses testifying for the new moon had to present their testimony before the Rosh Beth Din, wherever he was, as he was the only one who had the right to declare it. Jochanan changed this by declaring that the witnesses for the new moon would now report to the Beth Din with their testimony, regardless of where the Rosh Beth Din was, and that the Beth Din would declare the new moon. (3)

After the Temple was destroyed, witnesses for the new moon were received all day long, according to the change instituted by Jochanan; whereas before it was destroyed, witnesses were received only until Minchah in order to avoid confusing the Levites in their song. (4) It was the custom in Temple times for witnesses for the new moon to desecrate the Sabbath to report the new moon because of the new moon offering which must come exactly on the first day of the month. After the destruction of the Temple,

(1) Rosh Hashanah IV:2. Note 15, appendix this chapter.

(2) Rosh Hashanah IV:2.

(3) Rosh Hashanah IV: 4. Note 16, appendix this chapter.

(4) Rosh Hashanah IV:4.

Jochanan decreed that since there were no more regular monthly offerings, the only sabbaths that may be desecrated were those before Tishri and Nisan, since these two months were needed to fix the festivals in those communities outside the land. (1)

With regard to the synagogue service Jochanan declared that the priests going up to bless the people must not go up with their shoes on out of respect to the people and to the Shechinah.(2) While the Temple was standing, the proselyte had to deposit one forth shekel to guarantee his bird offering when he became converted. With the destruction, Jochanan abolished this. (3)

There are two other Takanoth ascribed to Jochanan, though it is doubtful if he actually instituted them. But the mere fact that though the changes had been made and there was a difference of opinion as to who instituted the changes, they were ascribed to Jochanan, would indicate that Jochanan's successors appreciated his force and ability in effecting changes in laws and customs to give them significance in new conditions, at the same time retaining retaining enough of their flavor to be accepted. The first of the doubtful Takanoth ascribed to Jochanan was the one concerning the place of binding the scarlet thread when the Azazel was thrown over the rock. (4) The rabbis said to

(1) Rosh Hashanah 21b.

(2) Rosh Hashanah 31b and Sotah 40a

(3) Rosh Hashanah 31b ^{saye}

(4) Joma 67a. Rab Papa, that other rabbis, previous to Jochanan decreed this. And Mishna Joma VI:6 also mentions this, though not in the name of Jochanan ben Zakkai.

bind one on the rock and one on the horns of the Azazel.

The other doubtful Takanah is this: Before the destruction of the Temple, only the people further than a day's journey from Jerusalem were permitted to redeem the fourth year fruit; those within a day's journey of the city had to bring it to the priest for the decoration of the streets of Jerusalem. When the temple was destroyed, even those people within a day's journey were permitted to redeem it with money value. (1)

Even during Temple times certain changes were made in this regard by Jochanan: The abolition of the drinking of the "mayim shel sotah" by the woman accused of adultery came about because of the low moral conditions among the people at the time. (2)

Almotell These changes in the religious customs of the people were made necessary by the destruction of Jerusalem and the Temple. Jochanan's theory was that since the Temple was no longer in existence, those laws depending upon the existence of the Temple for their fulfillment, must be changed or modified. It is noteworthy that he did not abolish these laws and customs. He realized that the people would have to be educated to accommodate themselves to their new conditions; so he made the changes in keeping with tradition, preserving as much of the ceremonial and form and custom as could be preserved, yet stressing the spirit of the religious practice rather than its letter.

The esteem in which Jochanan was held; his gen-

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- (1) Rosh Hashanah 31b. However Maaseh Sheni V:2 refers to this change, but does not mention Jochanan ben Zaikai.
(2) Graetz, Gesch. Vol. IV.

tle spirit and forceful personality; his sharp mind and keen intellect and far-seeing vision; all these, together with a consciousness of his responsibility to the people, directed him in all his activities. He felt keenly the political fall of the people. And these changes were made to facilitate to some degree their rise again - spiritually and religiously.

CHAPTER FIVE

The importance of Jochanan in the eyes of Israel may be appreciated by the fact that he was the only one not of the line of Hillel to occupy the position of president of the Sanhedrin. He was the soul of the exile. (1) And all the institutions that marked the assumption by Jabneh of the place formerly held by Jerusalem were ascribed to him. (2) Furthermore, all the significant men of his time were attached to him as his pupils and helpers. (3) Gamaliel II, who succeeded him to the patriarchate, was his pupil and was groomed for the position he was later to hold by Jochanan himself.

However, all was not harmony with him in his labors. No work that is undertaken with the object of reform of any distinct nature is greeted with unanimous approval by the contemporaries of the one who undertakes it. All the more so is it the case if it is a task that aims to reconstruct the religious life of a group: for one's time-honored religious ideas, customs and prejudices are the last to be overthrown or even changed.

This must have been especially the case with the priests, who saw Jochanan developing amongst the people a philosophy of religion and a religious life that would preclude the future necessity of the Temple and its cult. Jochanan paid little attention to the matter of sacrifices; he was concerned more with the future of Judaism than with its past. Consequently, of all the scholars who attended him only Simon b. Nathanel and Jose (Cohenim) and Joshua b. Chananjah (Levite) were of priestly connection. (4) Of four-

(1) J. Derenbourg, *Forschungen*; pp. 178-9. (2) *ibid.*
(3) Baba Bathra 10b. (4) Büchler, "Priester u. Cultus", p.23.

teen scholars, contemporary with Jochanan, who were priests or Levites, these were the only three that had anything to do with him. (1) None of the others are mentioned as his disciples. The reasons that they were not of the school of Jabneh - and were even opposed to him - are plain, in the light of Jochanan's activity:

In the first place, they were suspicious of his political viewpoint. However much the priests and the priestly party before the destruction of the Temple might have favored Rome, they saw in the destruction the end of their power as well as the end of a comfortable livelihood. While before the catastrophe they might have been friendly to Rome, after it their attitude became just the reverse. Jochanan, on the other hand, had always pursued a policy of friendliness to Rome: before the destruction, with the idea of preserving Judaism in the form in which it had always existed; after the destruction with the idea, ~~with the idea~~ that under Rome's friendly auspices, he would be able to carry out his plan of strengthening, remolding and preserving Judaism to endure forever. Another reason for their opposition was to be found in the fact that Jochanan was not of a priestly family; and it was distasteful to them to see the leadership in Jewish affairs going to one who was not of their number.

He was opposed, certainly, by those of the school of Shammai. Just as their master emphasized the utmost stringency in the observance of the religious minutiae and the narrow limits of the law in the days of Hillel, so also did his

(1) Büchler, "Priester u. Cultus, p. 17.

pupils oppose the liberal tendencies of the pupil of Hillel.

(1) The Shammaites were equally uncompromising in their stress on the national idea; and so they must have opposed to a corresponding degree the emphasis of Jochanan and his colleagues on the religious idea as more worthy - indeed necessary - of preservation if the people was to endure. (2)

In addition, he must have met the opposition of men, who, either through jealousy or lack of vision, considered him not big enough to unite all elements. This may have been the case even among his own co-workers. (3) And others, out of strong sentimental reasons opposed him also for his removal of the Sanhedrin from Jerusalem and the Temple, of which it was considered part and parcel, and whose existence outside of the Temple was deemed impossible(4).

However, it cannot be said with any great degree of certainty that Jochanan was hampered much in his work by this opposition. The facts that in all his controversies tradition points that Jochanan's views were upheld or acceded to, on the one hand, and on the other that no specific references are made to opposition of a harmful kind in his strivings, seem to point the more strongly to the conclusion that Jochanan really did effect in no small measure the unity of the Jewish people in the dispersion - the one thing that he realized was so necessary to their preservation - and which Gamaliel II brought to even greater perfection, although he employed strenuous means to accomplish it.

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- (1) Büchler, "Priester u. Cultus", p. 19.
 - (2) Weiss, "Dor Dor V'dor'shov", Vol. II, p. 40.
 - (3) J. Derenbourg, "R. Jochanan b. Zakai in Berur Chail. See note No. 1, appendix to this chapter.
 - (5) Weiss, *ibid*, p. 40. See note No. 2, appendix this chapter.
 - (4) Graetz, *Gesch. d. Juden*, Vol. IV, p. 14.
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Not much light has been cast, unfortunately, on what personalities were instrumental in aiding Jochanan in his great reconstructive work. However, he could not have done it all alone. He must have had some strong person at his side besides his famous pupils mentioned in Aboth (II:9). He needed somebody to aid him in reaching the masses; and he found this supplement in Chanina ben Dosa. (1) A strong friendship existed between these two. Jochanan always referred to him as "Chaninah b'ni", a term of close regard and affectionate friendship. (2) This mutual affection probably grew out of, and was strengthened by, the similar purpose of both - that of preserving religious Israel through the general enlightenment of the masses.

Yet, however great and capable might have been the men who aided Jochanan in his work, he was the dominating personality of the time. It was Jochanan who prepared the transition from the tumultuous, intricate political life to the quiet, but none the less eventful, congregational life. He it was that connected up the cords of contact with the scattered Jewish communities of the time - in Rome, in Egypt, in Parthia - by establishing the Sanhedrin in Jabneh with full authority. These communities accepted the appointment of the festivals from Jabneh as they had previously from Jerusalem, and probably appealed to the new Sanhedrin for decrees in doubtful legal cases, as they had from the old. (4)

(1) Friedlander, M. "Ben Dosa u. s. Zeit", p. 25.

(2) *ibid.* p. 27.

(3) *ibid.*

(4) Graetz, *Gesch. d. Juden*, Vol. IV, p. 25.

He made Jabneh the center of the religious and the national life of the people. And in removing the Sanhedrial functions from the site of the Temple and transferring them to Jabneh, he severed Jerusalem from the sacrificial cult and left it independent. The Sanhedrin was now become a distinctly religious body, so longer political, as it had been under the political stress in Jerusalem. Jochanan had set Judaism off on a new course: he made it a living, vital religion of every day life for all its adherents; he took it out of politics and gave it to all the people as a treasure to cherish and to nourish and to share with others.

Graetz likens Jochanan ben Zakkai to the prophet, Jeremiah, and the prince, Zerubabel, who had returned from the Babylonian captivity: "Like Jeremiah, he breathed his lamentations over the ruins of Jerusalem - like Zerubabel, he ushered in a new era. R. Jochanan and Zerubabel stood upon the threshold of two epochs, inheriting a legacy from the one and bequeathing it to the other; both laid the foundation to remold the fabric of Judaism, the superstructure and completion of which constituted the task of the succeeding generations." (1) This, indeed, is the place Jochanan occupies in history. He rescued Judaism from what seemed certain destruction under the ruins of Jerusalem; he transplanted it, trimmed off the dead branches, and gave it new life.

He was the inspiration and guide of those who, after he had gone, were to foster it and see to its growth. The teachings of the succeeding rabbis bear all of them the im-

(1) Graetz, Gesch. d. Juden, Vol. IV, Ch. 1, end.

press of his method. His influence it was that caused his contemporaries to make collections of Halachoth of various kinds, which became the cornerstone for the great builders of the Mishnah. (1) The men who succeeded him reflected his character and spirit and ideals: Gamaliel II, who organized and unified the Jewry of his time and succeeding generations under the authority of the Jabneh Sanhedrin; Joshua b. Chananiah, the mediator between Romans and Jews; Akiba, the pupil of Jochanan's pupil, Eliezer b. Hyrcanus, who developed the Agadic method of Jochanan still further; R. Meir, who developed the system of deducing Halachoth from Halachoth in the same manner as Jochanan deduced Agadoth from Scriptural texts, and whose method became the accepted one in Talmudic dialectics; Judah HaNasi, the compiler of the Mishnah, who by this work emulated the master whose spirit he reflected in that he, too, further unified Israel on the basis of authoritatively set laws and institutions.

"How appropriate, how true, were the terms in which his pupils characterized him when they said to him on his dying bed: 'Light of Israel, Right-hand pillar, Strong Hammer...' For he was as a light to Israel which lit their way in their illuminating researches in the Torah - a light of truth and knowledge in his time; a powerful pillar he was to the Jewish religion, supporting it and establishing it to endure; and as a strong hammer that crushes the rock were his teachings against those who opposed and found fault with the Torah." (2) R. Jochanan ben Zakkai is one of those personages of history whose character monopolizes the age and impresses it with an indelible stamp, and who influences events as well as men.

(1) Weiss, "Dor Dor V'dorshov", Vol. II, p. 42. (2) *ibid.* p.38.

APPENDIX

APPENDIX
CHAPTER THREE

Note 1

כשחזר הבית בשניה רבו פרושים בישראל שלא לאכול בשר ושלא לשחות יין. (חומפתא סוטה 15. כבא כחרא 60)

Note 2

הנו רבנו מעשה כרבן יוחנן בן זכאי שהיה רוכב על החמור והיו תלמידיו מהלכין אחריו ראה ריבה אחת שהיתה מלקטת שעורים מבין גולי בהמתן של ערביים. אמרה לו רבי פרנסני. אמר לה בתי מסון של בית אביך היכן הלך? אמרה לו רבי. לא כדיון מחלין מחלא בירושלים מלך מסון חסר ואמר לה חסר ושל בית חמין היכן הוא? אמר לו בא זה ואיכר את זה ככה רבן יוחנן בן זכאי. ואמר אשריכם ישראל בוסן שעושים רצונו של מקום אין כל אומה ולשון שולטת בהם וזמן שאין עושין רצונו של מקום מוסרין ביד אומה שפלה אלא ביד בהמתן של אומה שפלה. (כתובות 66)

Note 3

רבן יוחנן בן זכאי קבל מהלל ושמאי (אבות 2.9)

הנו רבנו שמונים תלמידים היו לו לחלל חזק. קטן שבכולן רבן יוחנן בן זכאי. אמרו עליו על רבן יוחנן בן זכאי שלא הניח סגרא ומטנת נמרא הלכות והגדות דקדוקי חורה ודקדוקי סופרים וקריין וחמורין וגזרות שוה וחקופות ונמסריאות ומשלות כובסים ומשלות שועלים שיחת שירים ושיחת דקלום ושיחת מלאכי השרת ודבר קטן ודבר גדול דבר גדול מעשה מרכבה ודבר קטן חיות דאביי ורבא לקיים מה שנאמר (משלי ח) להניח אוהבי יש ואוצרותיהם אמלא. (בבא כחרא 134)

Note 4

The outstanding man of the generation was picked as the one who received the tradition ("קבל"). So Yochanan was the greatest man of his generation, though not made Rasi out of debt of gratitude to Hillel's family. (Landa, Monat. Vol. I, p. 367)

Note 5

שמונים זון של תלמידים היו לו לחלל חזק. קטן שבהן יוחנן בן זכאי. פעם אחת חלה ונכנסו כולם לבקר עמד לו רבן יוחנן בן זכאי כחצר. אמר להם היכן הוא קטן שבכם שהוא אב להכמה ואב לדורות אין צריך לומר הגדול שבכם. (ירושלמי נדרים 5)

Note 6

אמר עליו על רבן יוחנן בן זכאי מיסיו לא שח שיחה חולין ולא הלך ד' אמה בלא חורה ובלא תפילין ולא קדמו אדם בבית המדרש ולא ישן בבית המדרש לא שינח קנע ולא שינח עראי ולא הרהר במבואות המסונפות ולא הניח אדם בבית המדרש ויצא ולא סאן אדם יושב ודורס אלא יושב ושונה ולא פתח אדם דרך לחמוריו אלא הוא כעצמו ולא אמר דבר. לא שמע מפי רבו מעולם. (סוכה 28)

Note 7

וכשבא ר' יוסי בן דורמסטי אצל ר' אליעזר בלוד אמר לו מה חדש היה לכם בבית המדרש היום? אמר לו נמנו ונמרו עמון ומואב מעשרים מעשר עני בשביעית. בכה ר' אליעזר ואמר (תהלים כ"ה) סוד ה' ליראיו וברוחו להודיעם צא ואמר לחם אל תאוסו למנינכם מקובל אני מרבן יוחנן בן זכאי ששמע מרבן זרבו עד הלכה למשה מסיני ששמו ומואב מעשרין מעשר עני בשביעית (ידיים 4.3)

אמר ר' יהושע מקובל אני מרבן יוחנן בן זכאי ששמע מרבן זרבו עד הלכה למשה מסיני שאין אליהו בא לסמא ולטהר לרחק ולקרוב אלא לרחק המקוברים בזרוע ולקרוב המרו- חקים בזרוע.... (עדויות 8.7)

Note 8

ה'ר ארבעים שנה קודם חורבן הבית לא היה גורל אלא בימין לא היה לשון של זהורית מלבין ולא היה גר מערבי דולק והיו דלתות ההיכל נפתחות מעליהן עד שגער כהן רבי יוחנן בן זכאי אמר לו היכל היכל ספני מה אתה סבית עצמן יודע אני בך שפופר עהיד ליחרב וכבר נחנא עליך ובריה בן עדוע (יא) פתח לבנון דלחך וחאכל אש בארזיך (יומא 39)

Note 9

אמר עליו על רבן יוחנן בן זכאי שהיה יושב בצלו של היכל ודורש כל היום כולו.

Note 10

Blau (Monat. Jahg. 43, p. 561) is of the opinion that Jochanan never was Patriarch of the Sanhedrin; and that Jabneh was given him by the Romans just for the purpose of keeping him near the legions. J. Derenbourg (Monat. Vol. 37, p. 304, art. "Jochanan b. Zakkai and Gamaliel II") while granting that Jochanan was the Patriarch, says that Jochanan considered his high position only as provisional, since Rabbi Gamaliel was not yet ripe enough to assume the duties and responsibilities of the position. Jochanan remained at the head of the school only till Gamaliel was fit to take the responsibility (he was only seventeen years old when Jochanan assumed the patriarchate) and then retired to Berur Chail, while Rabbi Gamaliel "strove with the energy necessary for the time to create a new center for unity for the scattered Judaism."

Still another view is held by Dreifus (Monat. Vol. 19, pp. 568-573, art. Das Verhältniss R. Jochanan b. Zakkai zum Hillelischen Patriarchenhaus.) Quoting Gittin 56b: "חן ל' ב'נה וחכמיה ושושילתא דרבן במליאל" interpretation of the word "שושילתא" as interpreted by Rashi and tradition - i.e. as "the family of Gamaliel" - and interprets the word as meaning "the insignia of office of the Nasi", since the family of Gamaliel was in ill repute with the Romans because of Simon b. Gamaliel's opposition to the Romans. As proof for this thesis, he says that the opposition to the house of Gamaliel holding the position of

Nasi was to be found among the foremost men of the time, beginning with the pupils of Jochanan b. Zakkai - especially Eliezer b. Hyrcanus and Joshua b. Chanjah; and further, that Gamaliel was sensible to this opposition. He ventures further, that if Jochanan had had a son worthy of being Nasi, he would have had him to succeed him, instead of handing over the position to Gamaliel. But Jochanan's son died during Jochanan's lifetime, and his pupils, Eliezer b. Hyrcanus and Joshua b. Chanjah hoped to succeed him as Nasi.

Though this last theory seems plausible, it is far fetched. Dreifus bases his theory on two suppositions: (1) that the traditional meaning of "אנן" is incorrect, as referring to the descendants of Gamaliel (Rashi; Jastrow's Talmudical dictionary); and (2) the circumstance that Jochanan left Jabneh. He finds in the fact that Jochanan's pupil, Eliezer b. Hyrcanus was excommunicated after Jochanan's death by Gamaliel, the reason for assuming that Jochanan, too, must have been opposed to Gamaliel. However, there are other, and very plausible, reasons why Eliezer was opposed to Gamaliel: Eliezer was a Shamaita in spirit: and this influence in his opinions towards conservatism - being at variance with the views of Gamaliel - resulted in his excommunication. There is no evidence of hostile relationships between Jochanan and Gamaliel. Dreifus evidently lost sight of the fact that Jochanan was a very old man even when the Temple was destroyed, and could not continue his strenuous work because of his age.

Derenbourg's opinion is much more sane and rational. As to Blau's view, the Romans did not have to give him Jabneh to keep their eyes on him. They could have done that in Jerusalem, if there was any great necessity for it: - or could have very easily put him out of the way by other means.

Note 11

אמר עליו על רבן יוחנן בן זכאי שלא הקדימו אדם שלום
מקולם ואפילו נכרי בשוק. (ברכות 17)

אמר להם רבן יוחנן בן זכאי כשם שהחטאת מכפרת על ישראל
כן צדקה מכפרת על עכו"ם. (בבא נחרא 10)

Note 12

See note 6.

APPENDIX
CHAPTER FOUR

Note 1

פעם אחת היה רבן יוחנן בן זכאי יוצא מירושלים והיה ר' יהושע הולך אחריו וראה בית המקדש חרב אמר ר' יהושע אי לינו על זה שהוא חרב כיום שמכפרים בו עונותם הם של ישראל אמר לו על ירע לך יש לנו כפרה אחת שהיא כמותה ואיזה זה גמילות חסדים שנאמר (הושע 6.6) כי חסד חפצתי ולא זבח. (אבות דר' נתן 4)

Note 2

אם לסדה חורה הרבה אל חתוך טובה לעצמן כי לכך נוצרה (אבות 2.9)

אמרו עליו על רבן יוחנן בן זכאי שלא הניח מקרא ומשנה נמרא הלכות ואגדות וחוספחות וקדוקי תורה ודקדוקי סופרים וכל המדות של חכמים וכל דבר ודבר שכתורה לא הניח שלא למד לקיים מה שנאמר להנחיל אוהבי יש ואוצרותם הם אמלא. (אבות דר' נתן 14)

אמרו לפני רבן יוחנן בן זכאי חכם וירא חטא מהו? אמר להם הרי אומן וכלי אומנתו בידו. חכם ואין ירא חטא מהו? א"ל הרי זה אומן ואין כלי אומנתו בידו. ירא חטא ואין חכם מהו? א"ל אין זה אומן אבל כלי אומנתו בידו (אבות דר' נתן 22)

Note 3

ח"ר משפחה אחת הייתה בירושלים שהיו מתיא מתין בני י"ח שנה באו והודיעו את רבן יוחנן בן זכאי אמר להם שמא מ-משפחה עלי אחם דכתיב בית (שמואל א 2) וכל מרכיב ביתך ימותו. אנשים לבו ועסקו בחורה וחיו והלכו ועסקו בחורה וחיו להיות קורין אותה משפחת רבן יוחנן על שמו. (ראש השנה 18)

Note 4

אמרו עליו על רבן יוחנן בן זכאי שלא הניח פרשא אחת בחורה שלא למדה ולמד מקרא חרנום מדרש הלכות ואגדות ומסלות מועדים הכל למד ובן אמרו עליו שאמר שאם יהיו כל הסמידיעות וכל האילנות קולמןסין וכל הימים דיו אינם כדי לכתוב את חכמתי שלמדה מרכותי ולא אצלתי מחכמתם כשם השובב הזו טובלת בים הגדול ומשהו מחסרא. (סופרים 16.8)

Note 5

See note 2, this chapter. The quotation from Aboth E. H. is the same as the quotation from Succah 28a referred to.

Note 6

שאל גמירקוס הקר את רבן יוחנן בן זכאי בפרטן של לויים אהה מוצא עשרים ושמנה אלף שלש מאות להיכן הלכו א"ל אותן שלש מאות בכורות היו ואין בכור מפקיע בכור. (בכורות 6)

אנסונינוס הנמון שאל רבי יוחנן בן זכאי בכלל חסירין ובפרט חסורין אמר ליה אותן שלש מאות יחירין בכורי

כהונה היו ואין קודש מוציא קודש. (סנהדרין 19)

Note 7

בן ביום דר"ר"ע (ויקרא יא) וכל כלי חרש אי"ר יפל מהם אל תוכו כל אשר בתוכו יטמא אינו אומר טמא אלא יטמא למטא אחרים לסד על ככר שני שטמא אה השלישי א"ר יהושע סי' יגלה עפר מעיניך ר' יוחנן בן זכאי שהיית אומר עתיד דור אחר לסתור ככר שלישי שאין לו מקרא מן התורה שהוא טמא והלא ר' עקיבא חלימין מביא לו מקרא מן התורה שהוא טמא שנאמר כל אי"ר בתוכו יטמא (סוטה 27)

Note 8

אומרים צדוקים קובלים אנו עליכם פרושים שאחם אומרים כתבי קודש טמאים אה הידים ספרי המירם אינם טמאים אה הידים אמר ר' יוחנן בן זכאי וכי אין לנו על הפרושים אלא זה בלבד הרי הם אומרים עצמות חמור טהרות ועצמות יוחנן כהן גדול טמאים אמרו לו לפי חבתן היא טומאתן שלא יעשה אדם עצמות אביו ואמו חרודות אמר להם אף ככר הקודש לפי חבתן היא טומאתן ספרי המירם שאין חביבין אין טמאין אה הידים. (ידיים 6.6)

Note 9

אין הכן יורש אמו נקבר להנחיל לאחיו מן האב אמר ר' יוחנן בן זכאי דבר תורה האב יורש את בנו ואשה יורשת את בנה שנאמר משה משה האם למטה האב מה משה האב אב יורש את בנו אף משה האם אשה יורשת את בנה. (בבא בתרא 114)

Note 10

שאלו חלמדין אה רבן יוחנן בן זכאי מפני מה התמירה תורה כנוב יורח מנולן אמר להן זה השוה כבוד עבד לכבוד כונו זה לא השוה כבוד עבד לכבוד קונו. כביכול עשה עין של משה כאילו אינה רואה ואוזן של משה כאילו אינה שומעת אמר רבן יוחנן בן זכאי בא וראה כמה גדול כבוד הנביות שור הליך כרגילו ה' שהרכבו על כתופו ארבעה (בבא קטא 79)

Note 11

Five interpretations of Biblical texts are grouped together "כסין חומרי" in Tos. Baba Kama, 7:3 ff. From them Jochanan's method of Agadio interpretation, which he originated, may be appreciated:

רבן יוחנן בן זכאי היה דורש אה המקרא הזה כסין חומר מה נשתנה און סכל אברים זכנוף אמר חקב"ה און ששע קולי על הר סיני בשעה שאמרתי לי בני ישראל עבדים ולא עבדיה לעבדים וחלן זה וקנה ארון לעצמו ירצע ור"ש ב"ר היה דורש אה המקרא הזה כסין חומר מה נשתנה דלת ומזוזה סכל כלים זכנים אמר הקדוש ברוך הוא דלת ומזוזה שחיו עדים במצרים כיעה שפחהה על המסקף. (קדושין 22)

ר' יוחנן בן זכאי אומר הרי הוא אומר כסין שלמות חבנה

אנשים שמטילות שלום זהרי דברים ק"ו ומה אם אבני מזבח
שאינם לא ראוי ולא שומעוהו ולו מדברות על שמטילות שלום
בין ישראל לאביהם שבשמים יסור הקב"ה לא חניף עליהם
מדברות על שמטילות שלום בין ישראל לאביהם שבשמים אמר
הקב"ה לא חניף עליהם כדור המטיל שלום בין איש לאיש
בין איש לאישו בין עיר לעיר בין אומה לאומה בין ממסלה
לממסלה בין משפחה למשפחה על עתה כמה וכמה שלא תבא
ענין פורענות. (מכילתא "תרו")

"אשר נשיא יחטא (ויקרא 4.27) אמר ר' יוחנן בן זכאי
אשרי הדור שהנשיא שלו מביא קרבן על שגגתו אם נשיא
שלו מביא קרבן צריך את לומר שהוא הדין ואם על שגגתו
מביא קרבן צריך את לומר שהוא זדונו מחקיף לה רבה בריה
דרבה אלץ מעשה דכתיב ואת אשר חטא מן הקדש שלם וזכרם
בן נכס דכתיב ביה (מלכים א 14) אשר חטא ואשר החטא הכי
נמי דאשרי הדור הוא שאני הכה דשני קרא בדבוריה.
(הורית 10)

ואמר ר' אליעזר לא הגלה הקב"ה את ישראל לבבל
אלא מפני שמעוהו כשאל שנאמר (הושע 13) מיד שאול אפדם
ר' חנינא אמר מפני שקרוב לשונם ללשון תורה
בן יוחנן בן זכאי אמר מפני ששיגורן לביח אמן
(פסחים 87)

For the fifth quotation, see Note 10, this chapter.

Note 12

Cf. third quotation, note 11, above.

Note 13

מעשה בר' אלעזר ב' ערן שהיה מחמיר אחר ר' יוחנן בן
זכאי אמר לו רבי דרשני פרק אחד במעשה מרכבה אמר לו
לא כן אמרתי לך אין דורשין במרכבה ליחיד אלא אם כן היה
חכם מבין לדעתו אמר לו חן לי רשוח וארצה לפניך מיד ירד
ר' יוחנן בן זכאי מן החמור ונתעצמו וישבו שניהם על גבי
אבן חתה הזית והירצה לפניו ועמד ונשקו על ראשו ואמר
ברוך ה' אלהי ישראל שנתן בן לאברהם שידע לדרוש ולהבין
בכבוד אביו שבשמים. (תספחא חגיגה 2.1)

חני רבה בר סרי מסוה ר' יוחנן בן זכאי
שהיה חסידו... בניה בן הנם ועזלה עשן מביניהם וזהו
שננינו ציני הברזל כשרות וזה היא פתחא של ביהננס. (סוכה
32)

Note 14

Whether the Soferim had decreed this for some unknown reason, or whether now the Temple and sacrifices were a thing of the past we do not know. However, these Takenoth were made by Jochanan to strengthen his Beth Din and to make it clear that an authoritative Beth Din must now come into existence as an essential factor in preserving the religion. Though Jochanan desired that the religious practices of the people undergo certain changes so that they might preserve them e-

ven under the new conditions, he did not want to destroy entirely the memory of the Temple. Though the sanctuary was a thing of the past, physically, he realized the force that the memories of it would carry in the religious life of the people. So wherever he could preserve the ceremonies he did so.

Note 15

The purpose of this Takanah was to emphasize the importance of the Beth Din as the authority, rather than the Rosh Beth Din. It gave an independence to the organization that stimulated views that could not but lend towards a growth in independent religious and legal thought.

Note 16

The fact that changes were made and that they were ascribed to Jochanan would indicate that his successors appreciated his force and influence in effectively changing laws and customs to give them significance in the new conditions, and at the same time retain enough of their former flavor to still be accepted.

APPENDIX
CHAPTER FIVE

Note 1

The B'nai Bathera~~n~~ differed with Jochanan in the matter of his Takanoth and wished to argue with him his right to make these arbitrary changes. Jochanan urged that first they carry out the Takanoth, and then discuss the matter. His opponents agreed, and after the new regulation had been instituted they came to him again. Jochanan met their advance and their opposition simply by asking them why the Takanah should be changed, now that it was being practiced and accepted. (Weiss, Dor Dor V'dorshov. p. 38; no reference cited.)

Note 2 ?